



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Amanda Smith
Executive Director

DIVISION OF RADIATION CONTROL
Rusty Lundberg
Director

Radiation Control Board

Peter A. Jenkins, CHP, Ph.D. – *Chair*
Scott Bird – *Vice Chair*
Brady Bradford
Dick Codell, Ph.D.
Jerry Hurst, Tooele County Commissioner
Lindsey Christensen Nesbitt, Ph.D.
Ulrich Rassner, M.D.
Matt W. Rydalch
Amanda Smith – *Executive Director*
Rusty Lundberg, *Executive Secretary*

**MINUTES
OF
THE UTAH RADIATION CONTROL BOARD**

February 11, 2014

Department of Environmental Quality
Multi Agency State Office Building
Conference Room 1015, 195 North 1950 West, Salt Lake City, Utah

BOARD MEMBERS PRESENT

Peter Jenkins, CHP, Ph.D.
Scott Bird
Richard Codell, Ph.D.
Rusty Lundberg, Executive Secretary
Commissioner Jerry Hurst
Matt Rydalch (via phone)
Brady Bradford (via phone)
Lindsey Christensen Nesbitt, Ph.D.
Ulrich Rassner, M.D.

**BOARD MEMBERS
ABSENT/EXCUSED**

Amanda Smith
Executive Director,
DEQ

**DRC STAFF/OTHER DEO MEMBERS
PRESENT**

Craig Jones, DRC Section Manager
Ryan Johnson, DRC Staff
Gwyn Galloway, DRC Staff
Phil Goble, DRC Section Manager
John Hultquist, DRC Section Manager
Loren Morton, DRC Program Manager
Laura Lockhart, AG Staff
Connie Rauen, DRC Staff
Spencer Wickham, DRC Staff
Mike Givens, DRC Staff
Lisa Mechem, DRC Staff

PUBLIC

Dan Shrum, EnergySolutions
Sean McCandless, Energy Solutions
Janet Jenson, Jenson & Guelker
Matt Pacenza, HEAL Utah

I. Welcome

Dr. Peter Jenkins, Chairman, called the meeting to order at 1:00 p.m. He welcomed the Board Members and the public.

II. Approval of the Minutes from the January 14, 2014 Board Meeting

Dr. Peter Jenkins, Chairman, asked if any of the Board members had any corrections to the minutes. Dr. Ulrich Rassner stated his title was listed as commissioner in error. No other corrections were requested.

MOTION MADE BY COMMISSIONER JERRY HURST TO APPROVE THE JANUARY 14, 2014, MINUTES WITH THE INDICATED CHANGE BY DR. ULRICH RASSNER.

SECONDED BY DR. ULRICH RASSNER.

MOTION CARRIED AND PASSED UNANIMOUSLY.

III. Administrative Rulemaking

- a. Ms. Gwyn Galloway, Division Staff, gave an update to the Board on the Final Adoption of proposed changes to R313-22-34, Issuance of Specific License, and R313-70-5, Payment of Fees. She reviewed the approval process and the steps that had been taken to address the proposal to extend licenses from a 5-year to a 10-year renewal cycle as well as comments received during the comment period.

MOTION MADE BY MR. SCOTT BIRD TO ADOPT THE FINAL RULE AND TO DIRECT THE DIRECTOR TO FILE RULES R313-22-34 AND R313-70-5 WITH THE DIVISION OF ADMINISTRATIVE RULES WITH AN EFFECTIVE DATE OF FEBRUARY 14, 2014.

SECONDED BY MR. MATT RYDALCH.

MOTION CARRIED AND PASSED UNANIMOUSLY.

- b. Mr. Spencer Wickham, Division Staff, gave an update to the Board about changes to R313-38-3 that were discussed on November 12, 2013. He told that Board that there were some references in the rule that were no longer valid. This problem was identified by the Nuclear Regulatory Commission, who raised concerns about compatibility issues during the public comment period. Mr. Wickham asked the Board to accept the Director's recommendation to make additional changes to R313-38-3, by the filing of a Change in Proposed Rule Notice with the Division of Administrative Rules. He asked the Board to set an effective date of April 7, 2014 for the Change in Proposed Rule.

MOTION MADE BY MR BRADY BRADFORD TO DIRECT THE DIRECTOR TO FILE A CHANGE IN PROPOSED RULE NOTICE FOR R313-38-3 WITH THE DIVISION OF ADMINISTRATIVE RULES AND TO SET AN EFFECTIVE DATE OF APRIL 7, 2014.

SECONDED BY DR. LINDSEY NESBITT.

MOTION CARRIED AND PASSED UNANIMOUSLY.

- c. Mr. Rusty Lundberg gave an update on the status of a public comment period and reviewed the preliminary proposed changes to R313-26, Generator Site Access Permit Requirements for Accessing Utah Radioactive Waste Disposal Facilities.

IV. Radioactive Materials – No items to be discussed

V. Information Items

- a. Uranium Mills
 - i. Energy Fuels Resources – White Mesa Mill – A status update on was provided by Mr. John Hultquist. He reported that the Dawn Mining alternate feed final review had been submitted to the AG’s office and License renewal is under management review.
 - ii. Uranium One – Shootaring Canyon – A status update was provided by Mr. Phil Goble on the interest by Black Range Minerals to purchase the Shootaring Canyon Uranium Mill. He explained that a formal request to transfer additional information has been requested from Black Range Minerals. Mr. Goble informed the Board that the documents for this action are available online.
- b. Low-level Radioactive Waste
 - i. Depleted Uranium Performance Assessment update – Mr. Rusty Lundberg provided a status update on the review of the Performance Assessment.
- c. Other Division Items – No items to be discussed
- d. Legislative Update – An update was given by Rusty Lundberg on the 2014 Legislative General Session. Senator Aaron Osmond sponsored a bill regarding the Utah Indoor Radon program.

VI. Public Comment – None

Meeting Adjourned at 1:40p.m.

VII. **Next Scheduled Board Meeting: Tuesday, April 8, 2014, 1:00 p.m.**
Multi Agency State Office Building, Board Conference Room #1015
195 North 1950 West
Salt Lake City, Utah